

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

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This Document Relates To:

West Hempstead Water District v. AGIP Inc., et al.,
03 CV 10052
Village of Hempstead v. Amerada Hess Corp., et al.,
03-CV-10055

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E.
KENNETH J. WARNER, SPECIAL MASTER:

CASE MANAGEMENT ORDER # 54A
(Interim Discovery Schedule)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/4/09

ORDER
Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88

FACT DISCOVERY

Supplemental Document Production

All Outstanding Supplemental Document Productions and
Interrogatory Responses, including:

- Plaintiffs to produce H2M Lab documents
- Plaintiffs to produce documents identified in 7/31/09
Letter from Christopher J. Garvey to Robert
Gitelman
- Plaintiffs to produce all taste and odor complaint
documents, or, if previously produced, to identify
each document by Bates number
- Plaintiffs to provide sample redacted Granger
documents for which privilege is claimed
- Plaintiffs to identify any issues with Defendants'
privilege logs
- Defendants' to produce all outstanding discovery
documents
- Defendants to produce all outstanding privilege logs

September 11, 2009

Interim Deadlines for Depositions

The following depositions should be completed by October

In Re: Methyl Tertiary Butyl Ether (MTBE) Products Liability Litigation

Doc. 2894

16, 2009:	
<ul style="list-style-type: none"> • <u>West Hempstead Water District</u> <ul style="list-style-type: none"> ○ H2M Lab Depositions (Tentative) ○ West Hempstead Water District Rule 30(b)(6) on Preservation Issues ○ Continuation of Frederick Kurtz ○ Continuation of Robert York ○ Commissioner John Sparacio • <u>Village of Hempstead</u> <ul style="list-style-type: none"> ○ Village of Hempstead Rule 30(b)(6) on Preservation Issues ○ Continuation of Michael Taylor ○ Trustee Don Ryan • <u>Village of Hempstead & West Hempstead</u> <ul style="list-style-type: none"> ○ Plaintiffs' Depositions Defendants' and Third Party Witnesses 	<p>September 18, 2009</p> <p>By October 16, 2009</p> <p>By October 16, 2009</p> <p>By October 16, 2009</p> <p>By October 16, 2009</p> <p>By October 16, 2009</p> <p>By October 16, 2009</p> <p>By October 16, 2009</p> <p>By October 16, 2009</p> <p>By November 20, 2009</p>
Deadline to Complete Fact Depositions¹	November 20, 2009
FACT DISCOVERY CLOSES²	December 31, 2009

¹ The parties will have seven days from the close of a deposition to respond to requests for documents resulting from the deposition.

² As was done in *SCWA*, the parties are amenable to limited fact discovery after this date for fact issues that arise in expert discovery.

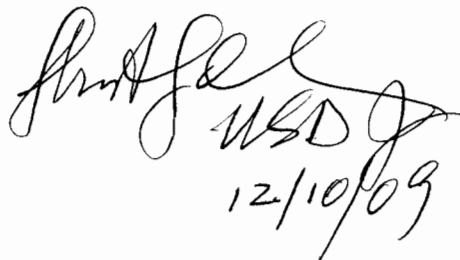
EXPERTS	
Non Case-Specific Expert Disclosures	
• Plaintiffs' Non-Case Specific Expert Reports Produced	November 20, 2009
• Defendants' Non-Case Specific Expert Reports Produced	December 21, 2009
• Parties Complete Depositions of Plaintiffs' Non-Case Specific Experts	February 1, 2010
• Parties Complete Depositions of Defendants' Non-Case Specific Experts	February 15, 2010
Site-Specific Expert Reports	
• Plaintiff Site-Specific Expert Reports Produced	February 15, 2010
• Defendants Affirmative Expert Reports	February 15, 2010
• Rebuttal Reports	March 15, 2010
MOTIONS PRACTICE	
Dispositive Motions and Motions <i>In Limine</i> regarding Trial Phasing	April 15, 2010
<i>Daubert</i> Motions	10 days after the close of each expert's deposition

SO ORDERED this 30th day of November 2009.



Special Master Kenneth E. Warner

So Ordered.


USDJ
12/10/09